

0039-5461-2



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF: : APPEAL NO. 1999-1627
TAKANOBU KAMAKURA : GROUP ART UNIT: 2814
SERIAL NO: 08/578,980 :
FILED: DECEMBER 27, 1995 : EXAMINER: WILLE, D.
FOR: SEMICONDUCTOR LIGHT :
EMITTING DEVICE

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PETITION UNDER 37 CFR. § 1.181(a)

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

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SIR:

In accordance with the provisions of MPEP §711.03(c)(I) and 37 CFR. §1.181(a)
Applicant hereby petitions to withdraw the holding of abandonment contained in the Notice
of Abandonment mailed May 20, 2002.

STATEMENT OF FACTS

On April 19, 2002, applicant timely filed an authorized Request for Reconsideration
under 37 CFR §1.197(b) requesting modification of the decision mailed on February
19,2002, and noting various improprieties in that decision. The United States Patent and
Trademark Office has not properly responded to this timely filed Request for
Reconsideration.

Enclosed are copies of the filing receipt and associated papers including a cover letter
and the Request for Reconsideration under 37 CFR §1.197(b).

POINT FOR REVIEW

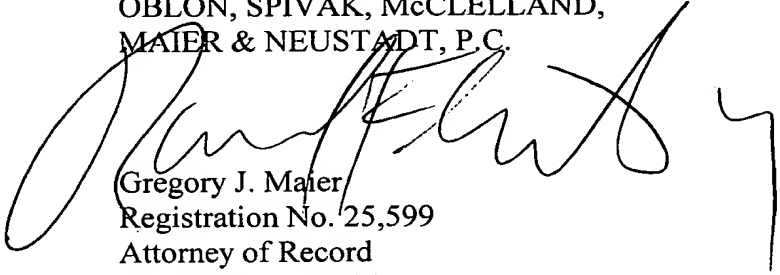
The point for review is whether or not the failure of the USPTO to properly consider and respond to the Request for Reconsideration under 37 CFR §1.197(b) filed on April 19, 2002, prior to mailing the above-noted Notice of Abandonment on May 20, 2002 violates the provisions of 37 CFR §1.197(b) and requires that this Notice of Abandonment be withdrawn and a proper response be provided to the unanswered Request for Reconsideration.

ACTION REQUESTED

In light of the above, it is respectfully requested that the USPTO withdraw the clearly improper holding of abandonment contained in the Notice of Abandonment mailed May 20, 2002 and further that the USPTO properly consider and respond to the Request for Reconsideration under 37 CFR §1.197(b) filed on April 19, 2002.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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Docket: 0039-5461-2
Appeal No. 1999-1627

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Re: Group Art Unit: 2814
Serial No.: 08/578,980
Filed: DECEMBER 27, 1995
Applicant: TAKANOBU KAMAKURA
For: SEMICONDUCTOR LIGHT EMITTING DEVICE

Attached hereto for filing are the following papers:

PETITION UNDER 37 CFR §1.181(a)
COPY OF REQUEST FOR RECONSIDERATION FILED 04/19/02

Our check in the amount of \$ - 0 - is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND
MAIER & NEUSTADT, P.C.

Gregory J. Maier
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Dept.: E/M

By: GJM/RFC/jmp

OSMM&N File No. 0039-5461-2

Serial No. 08/578,980 Appeal No. 1999-1627

In the matter of the Application of: TAKANOBU KAMAKURA

For: SEMICONDUCTOR LIGHT EMITTING DEVICE

The following has been received in the U.S. Patent Office on the date stamped here

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|--|--|--------|
| <input type="checkbox"/> pp. Specification | Claims/Formal Drawings | Sheets |
| and | pages Application Data Sheet | |
| <input type="checkbox"/> Combined Declaration, Petition & Power of Attorney | | pages |
| <input type="checkbox"/> List of Inventor Names and Addresses | | |
| <input type="checkbox"/> Utility Patent Application Transmittal | <input type="checkbox"/> ORCE | |
| <input type="checkbox"/> Notice of Priority | <input type="checkbox"/> Priority Doc | |
| <input type="checkbox"/> Check for \$ | <input checked="" type="checkbox"/> Dep. Acct. Order For | |
| <input type="checkbox"/> Fee Transmittal Form | | |
| <input type="checkbox"/> Assignment/PTO 1595 pages: | | |
| <input type="checkbox"/> Letter to Official Draftsman | | |
| <input type="checkbox"/> Letter Requesting Approval of Drawing Changes Marked in Red | | |
| <input type="checkbox"/> Formal Drawings | sheets <input type="checkbox"/> Formal | |
| <input checked="" type="checkbox"/> Cover Letter | | |
| <input checked="" type="checkbox"/> Request for Reconsideration under 37 CFR §1.197(b) | | |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> PTO-1449 | |
| <input type="checkbox"/> Cited References | | |
| <input type="checkbox"/> Statement of Relevancy | | |
| <input type="checkbox"/> IDS/Related/List of Related Cases | <input type="checkbox"/> Cited Pending Applications | |
| <input type="checkbox"/> Response to Restriction Response | <input type="checkbox"/> Election Response | |
| <input type="checkbox"/> Attachment | | |
| <input type="checkbox"/> Rule 132 Declaration | | |
| <input type="checkbox"/> Petition for Extension of Time | | |
| <input type="checkbox"/> Notice of Appeal | | |
| <input type="checkbox"/> Reply Brief | | |
| <input type="checkbox"/> Issue Fee Transmittal | | |
| <input type="checkbox"/> White Advance Serial Number | | |
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